

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2129 of 2017

Arising Out of PS.Case No. -38 Year- 2017 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Pawan Kumar Mehta Son of Late Ram Sumiran Mehta Resident of
Village - Bela Baiju, P.S. Patahi, District - East Champaran, Motihari.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Devendra Kumar

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-07-2017 The appellant seeks pre arrest bail in connection with

Patahi P.S. Case No. 38 of 2017, registered for offences

punishable under Sections 147, 148, 149, 323, 307, 379, 504 and

506 of the Indian Penal Code and Section 3/4 of Witch Prohibition

Act and Section 3(i)(x) of SC/ST (POA) Act.

It has been submitted on behalf of the appellant that from

perusal of entire F.I.R, it will appear that no case under the above

mentioned sections of Indian Penal Code as well as SC/ST Act is

made out against the appellant and only general and omnibus

allegation has been made against him.

Learned Sepcial P.P. could not controvert the above

submission.

Having heard both sides, considering the facts and



circumstances of the case, nature of allegation, this appeal is allowed and impugned order is set aside, let the appellant above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum- Special Judge, SC/ST (POA) Act, East Champaran, Motihari, in connection with Patahi P.S. Case No. 38 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. This is further subject to the condition that:-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the



prosecution is free to move for cancellation
of his bail bonds.

(Vinod Kumar Sinha, J)

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